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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 444

Complete If Known

Application Number	10/712,267
Filing Date	November 14, 2003
First Named Inventor	Jeffrey D. Martin
Examiner Name	Tara L. Mayo
Art Unit	3671
Attorney Docket No.	032161R066

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Other None Order

Deposit Account:

Deposit Account Number	02-4300 (additional fees only)
Deposit Account Name	Smith, Gambrell & Russell, LLP

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	(\\$)	(\\$)
1001	2001	395	Utility filing fee
1002	2002	175	Design filing fee
1003	2003	275	Plant filing fee
1004	2004	395	Reissue filing fee
1005	2005	80	Provisional filing fee
SUBTOTAL (1)		(\$ 0)	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
48	-38 **	= 10	X 18 = 180
Independent Claims	7	-4 **	= 3 X 88 = 264
Multiple Dependent			X = 0

Large Entity	Small Entity	Fee Description
Fee Code	Fee Code	(\\$)
1202	18	2202 9
1201	88	2201 44
1203	300	2203 150
1204	88	2204 44
1205	18	2205 9
SUBTOTAL (2)		(\$ 444)

*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	(\\$)	(\\$)
1051	130	2051 65	Surcharge - late filing fee or oath
1052	50	2052 25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053 130	Non-English specification
1812	2,520	1812 2,520	For filing a request for ex parte reexamination
1804	920*	1804 920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805 1,840*	Requesting publication of SIR after Examiner action
1251	110	2251 55	Extension for reply within first month
1252	430	2252 215	Extension for reply within second month
1253	980	2253 490	Extension for reply within third month
1254	1,530	2254 765	Extension for reply within fourth month
1255	2,080	2255 1,040	Extension for reply within fifth month
1401	340	2401 170	Notice of Appeal
1402	340	2402 170	Filing a brief in support of an appeal
1403	300	2403 150	Request for oral hearing
1451	1,510	1451 1,510	Petition to institute a public use proceeding
1452	110	2452 55	Petition to revive – unavoidable
1453	1,370	2453 685	Petition to revive – unintentional
1501	1,370	2501 685	Utility issue fee (or reissue)
1502	490	2502 245	Design issue fee
1503	660	2503 330	Plant issue fee
1460	130	1460 130	Petitions to the Commissioner
1807	50	1807 50	Processing fee under 37 CFR 1.17 (q)
1806	180	1806 180	Submission of Information Disclosure Stmt
8021	40	8021 40	Recording each patent assignment per property (times number of properties)
1809	790	2809 395	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	790	2810 395	For each additional invention to be examined (37 CFR § 1.129(b))
1801	790	2801 395	Request for Continued Examination (RCE)
1802	900	1802 900	Request for expedited examination of a design application

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Dennis C. Rodgers	Registration No. (Attorney/Agent)	32,936	Telephone	202 263 4300
Signature	Bethel W. Ley No. 48,108	Date	December 2, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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P A T E N T

Attorney Docket No.: 032161R066

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:)
Jeffrey D. Martin)
Serial No.: 10/712,267) Group Art Unit: 3671
Filed: November 14, 2003) Examiner: Tara L. MAYO
For : CUSHIONING DEVICE

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A response to the Office Action dated September 2, 2004 is due by December 2, 2004. Therefore, please accept this Amendment as timely filed and fully responsive.

Kindly amend the above-identified patent application as follows:

12/03/2004 EABUBAK1 00000066 10712267

01 FC:1201
02 FC:1202

264.00 0P
180.00 0P